

**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
ACS Wireless, Inc.	)	File No. EB-10-AN-0012
Antenna Structure Registrant	)	
ASR # 1241379	)	
Wasilla, Alaska	)	
	)	
	)	
	)	NOV No. V201032780004
	)	
	)	

**NOTICE OF VIOLATION**

**Released: March 15, 2010**

By the Resident Agent, Anchorage Resident Agent Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to ACS Wireless, Inc., registrant of antenna structure # 1241379 in Wasilla, Alaska.
  
2. On February 18, 2010, an agent of the Enforcement Bureau's Anchorage Resident Agent Office inspected antenna structure # 1241379 located at Robin Circle in the Meadowlakes Subdivision, Wasilla, Alaska, and observed the following violation:
  - a. 47 C.F.R. § 17.57: "The owner of an antenna structure for which an Antenna Structure Registration Number has been obtained must notify the Commission within 24 hours of completion of construction (FCC Form 854-R) and/or dismantlement (FCC Form 854). The owner must also immediately notify the Commission using FCC Form 854 upon any change in structure height or change in ownership information." FAA study number 2003-AAL-610-OE, issued on October 6, 2003, for this structure indicates the AGL as 180 ft. (54.86 m). However, the FCC Antenna Structure Registration indicates the AGL as 30.4 m (99.71 ft.). Height measurements taken by the Anchorage agent indicate this structure's AGL is higher than 30.4 m.
  
3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, ACS Wireless, Inc., must submit a written statement concerning this

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 403.

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matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of ACS Wireless, Inc. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Anchorage Resident Agent Office  
P.O. Box 221849  
Anchorage, Alaska 99522-1849

4. This Notice shall be sent to ACS Wireless, Inc., at its address of record.
5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

Marlene Windel  
Resident Agent  
Anchorage Resident Agent Office  
Western Region  
Enforcement Bureau

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<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*